

COMMUNICABLE DISEASE CONTROL (INFECTION CONTROL)

INTRODUCTION

This is a *general summary* of the regulating authorities and their guidelines, laws, and rules and regulations that govern the control of **communicable diseases** in dental facilities (offices) in Indiana. This information is provided for educational purposes only.

The Oral Health Program (OHP) at the Indiana State Department of Health (ISDH) cannot provide legal opinions on the interpretation of guidelines, laws, and rules and regulations. Dental professionals are responsible for understanding and applying these as they pertain to the practice of dentistry in Indiana.

REGULATING AUTHORITIES

The **Centers for Disease Control and Prevention (CDC)** uses the term **Infection Control** to refer to a large range of activities designed to prevent the spread of infection and has published *guidelines* for dental health care settings pertaining to Infection Control.

Infection Control activities, including the use of **Universal Precautions** and the handling, treatment and disposal of **Infectious Waste**, help prevent and control the spread of infection among healthcare workers, patients, and the general public.

The federal **Occupational Safety and Health Administration (OSHA)** and the state of **Indiana Occupational Safety and Health Administration (IOSHA)** establish *rules and regulations* pertaining to occupational exposure to blood, with its potential for containing *blood borne pathogens*, and occupational exposure to *other potentially infectious material (OPIM)*.

The Indiana legislature has passed *laws (statutes and codes)* to protect public health. **Indiana Code (IC) Title 16, titled Health**, includes **Article 41** pertaining to public health measures for preventing and controlling communicable disease. Within Article 41 are Chapters 11 and 16, with **Chapter 11** covering universal precautions (IC 16-41-11), and **Chapter 16** covering the treatment of infectious waste (IC 16-41-16).

These *laws (statutes and codes)* allow the establishment of *rules and regulations (administrative codes)* which govern the functions of state agencies. The Indiana State Department of Health functions under **Indiana Administrative Code (IAC), Title 410**. Two rules, **410 IAC 1-4, Universal Precautions (Rule 4)**, and **410 IAC 1-3, Infectious Waste (Rule 3)**, establish specific activities with which dental facilities must comply and delineates the responsibilities of the Indiana State Department of Health to help insure this compliance.

It should be emphasized that many of these guidelines, laws, and rules and regulations overlap, and all may serve to guide the OHP during its investigations into alleged violations of universal precautions.

Although the OHP may use OSHA/IOSHA rules and regulations to help guide its investigations of alleged violations of universal precautions, it is not the responsibility of the OHP to investigate alleged violations of OSHA/IOSHA rules and regulations as they pertain to the relationship between an employer and employee.

INDIANA STATE DEPARTMENT OF HEALTH (ISDH)

410 IAC 1-4-9 specifically assigns the ISDH the responsibility of investigating complaints alleging violations of universal precautions. The **OHP** at the **ISDH** has historically been assigned the role of investigating alleged violations of universal precautions in dental facilities in the state, and continues to fulfill this responsibility.

IC 16-41-16-9 gives the ISDH the right to inspect facilities for possible violations pertaining to infectious waste. As part of investigations into alleged violations of universal precautions in dental facilities, the OHP reviews the written policies and procedures of these facilities for containing, labeling, and treating infectious waste, and reviews the necessary documentation associated with the transport and disposal of infectious waste (410 IAC 1-3).

The ISDH has the authority to fine entities that are in violation of the rules and regulations pertaining to universal precautions and infectious waste. The OHP will attempt to resolve any documented violations, but may refer documented and unresolved violations to the state **Office of the Indiana Attorney General** for further action, which generally involves review by the **Indiana State Board of Dentistry** and any further actions it deems necessary.